

**Supplement to Amended Acknowledgment and  
Amended Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**00574700**

B: 1138 P: 1786 Fee \$0.00 Page 1 of 9  
Patsy Cutler, Iron County Recorder  
06/30/2008 10:12:48 AM By GOVERNOR/STATE OF UTAH

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Iron County known as NEWCASTLE RESERVOIR ROAD; County Road Number: 6; State Geographic Information Database (SGID) Road Identification Number: RD110006.

This document supplements and supports the information contained in the document first recorded at **Doc # 00555431, Bk 1094, Beg Pg 506**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/14/2008** at **Doc # 00567648, Bk 1122, Beg Pg 153**. A legal description is attached hereto as Exhibit B.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25<sup>th</sup> day of June, 200 8.

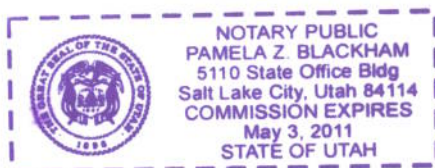
By the Governor's Designee

  
John Harja

**CERTIFICATION**

State of Utah )  
: ss  
County of Salt Lake )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.



Dated this 25<sup>th</sup> day of June, 200 8.

  
Notary Public



## Exhibit A

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**AFFIDAVIT OF LYNN FIACK**  
**NEWCASTLE RESERVOIR ROAD**  
**IRON COUNTY, UTAH**  
**ROAD NUMBER 6**

State of Utah                     )  
  : ss.  
County of Iron                    )

LYNN FIACK, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.
2. I have traveled and am familiar with a road in Iron County known as Newcastle Reservoir Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 1987 when I last observed it. Attached is a Iron County map showing Newcastle Reservoir Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 1987. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, road maintenance vehicles and trucks. Throughout this time period, the road has been used daily.

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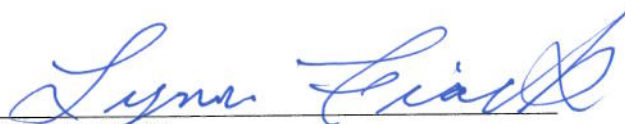
5. Throughout the time period from the early 1960s to 1987, I have used the road myself for fishing, hunting, road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations recreation, and traveling in and through the area.

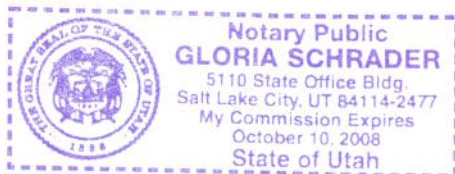
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed and observed maintenance and construction activities on the road.

DATED this 21 day of December, 2006.

  
LYNN FIACK

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of December, 2006.



  
NOTARY PUBLIC

**00574700**

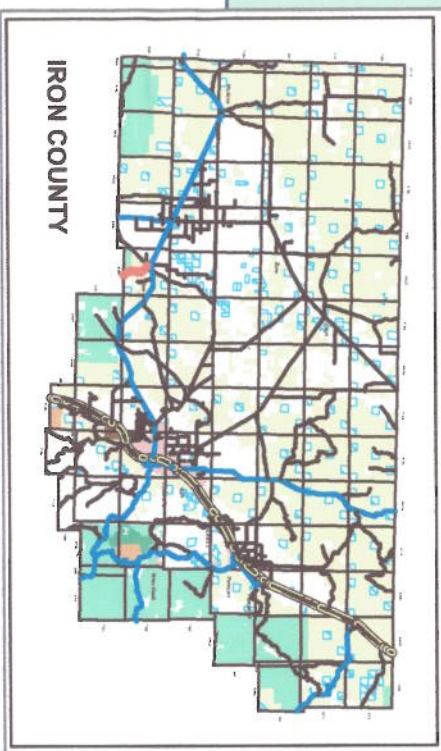
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# NEWCASTLE RESERVOIR ICO-0006

T36S R15W



IRON COUNTY

00574700

B: 1138 P: 1790 Fee \$0.00  
 Patsy Cutler, Iron County Recorder  
 06/30/2008 10:12:48 AM By GOVERNOR/STATE OF UTAH



## NEWCASTLE RESERVOIR ICO-0006

MAP PROJECTION INFORMATION  
 PROJECTION: UTM MAD 1983 METERS  
 ZONE: 12N  
 SECTION NUMBERING SYSTEM  
 SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY RECORDERS  
 LAST UPDATED ON  
 FEBRUARY 29, 2008

- NEWCASTLE RESERVOIR
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- SECTION
- WATER BODIES
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS
- Calligrapher
- Culvert
- Road Photo
- Sign





**AFFIDAVIT OF NEIL JAMIESON FORSYTH**

**NEWCASTLE RESERVOIR ROAD**

**IRON COUNTY, UTAH**

**ROAD NUMBER 6**

State of Utah                     )  
  : ss.  
County of Iron                    )

NEIL JAMIESON FORSYTH, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as Newcastle Reservoir Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing Newcastle Reservoir Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

5. Throughout the time period from the 1950s to the present, I have used the road

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myself for hunting, fishing and road maintenance.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, farming, prospecting for minerals, travel to and from schools, mail delivery, wood gathering, recreation, government access and traveling in and through the area.

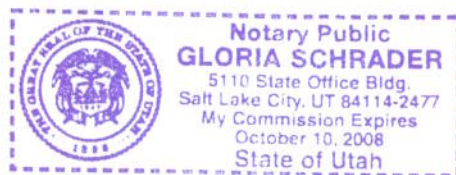
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed maintenance and construction activities on the road.

DATED this 20<sup>th</sup> day of December, 2006.

  
NEIL JAMESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of December, 2006.



  
NOTARY PUBLIC

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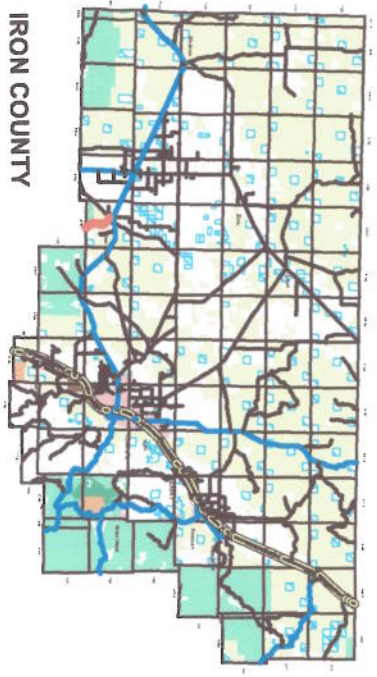
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# NEWCASTLE RESERVOIR ICO-0006



T36S R15W



IRON COUNTY

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### NEWCASTLE RESERVOIR

ICO-0006

MAP PROJECTION INFORMATION  
 PROJECTION: UTM  
 ZONE: 12N  
 DATUM: NAD 83  
 EPOCH: 2011

SECTION NUMBERING SYSTEM  
 SUBSECTIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 23, 2008

IRON COUNTY GIS

NEWCASTLE RESERVOIR

RAILROAD

LOCAL ROAD/TRAIL

PAVED ROAD

GRAVEL ROAD

DIRT ROAD

INTERSTATE 15

STATE HIGHWAY

TOWNSHIPS

SECTIONS

WATER BODIES

Wilderness

State

Private

Parks

Forest

BLM

Sign

Road Photo

Culvert

Caution



## Exhibit B

### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name:** NEWCASTLE RESERVOIR ROAD

**County:** Iron

**County Road Number:** 6

**State Geographic Information Database (SGID) Road Identification Number:** RD110006.

**Total Road Length:** 4.12 miles more or less.

**Beginning at a point** on the road centerline located at 37 degrees 37 minutes 05.67 seconds North Latitude and -113 degrees 31 minutes 15.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,055,146.8 feet and Y = 10,195,309.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 39 minutes 49.85 seconds North Latitude and -113 degrees 32 minutes 46.22 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,048,177.9 feet and Y = 10,212,070.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 36 South Range 15 West, Section(s) 16,21,22,27,28,33,34, Salt Lake Base & Meridian  
Township 37 South Range 15 West, Section(s) 3, Salt Lake Base & Meridian

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